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**TOWN WARRANT
SPECIAL TOWN MEETING
October 20, 2001**

Hampshire, ss.

To one of the Constables of the Town of Amherst, in said county, Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the registered voters of the Town of Amherst of the Special Town Meeting to be held in the Auditorium of the Amherst Regional Middle School in said Amherst at seven-thirty o'clock p.m. on Monday, the twenty-ninth day of October, two thousand and one, when the following articles will be acted upon by town meeting members:

ARTICLE 1. Reports of Boards and Committees (Select Board)

To see if the Town will hear only those reports of Town officers, the Finance Committee, and any other Town boards or committees which are not available in written form.

ARTICLE 2. Requirement for Town Meeting Warrant Posting (Select Board)

To see if the Town will a) adopt the notice requirements set forth in M.G.L. c. 39, § 10, as those requirements may be amended from time to time, as the notice requirements for all annual and special representative town meetings, and b) rescind any and all votes of town meeting containing contrary notice or posting requirements, provided, however, that such rescission shall not apply to the vote to adopt the Amherst Town Government Act under Article 3 of the Special Town Meeting held on February 12, 2001, the notice provisions of which shall govern upon approval of the petition for a special act as provided therein.

**ARTICLE 3. Farmland Cluster – Sections 2.05, 3.28, Article 4, Section 6.32, and Article 14
(Planning Board)**

To see if the Town will amend Sections 2.05, 3.28, Article 4, Section 6.32, and Article 14 of the Zoning Bylaw, by deleting the ~~lined-out~~ language and adding the language in ***bold italics***, as follows:

A. Change “Farmland Preservation (FP) District” to “Farmland Conservation (FC) District” or “FC District”, as appropriate, wherever this zoning district title or acronym appears in the Zoning Bylaw.

B. Amend the following subsections of Section 3.28, as follows:

3.282 Purpose

3.2820 Promote and protect the practice ***and continued economic viability*** of farming ~~by the~~ ***through preservation conservation*** of those lands on which ~~it~~ ***farming*** is most viable, ***while allowing development of other portions of farm properties for residential and other non-farming uses;***

3.2821 Maintain an adequate ***base of*** agricultural ~~base~~ ***land and activity*** in Amherst to ***help*** ensure the continued economic viability of local farming and thereby contribute to the continued availability of agricultural support services;

3.2822 ***Preserve the continued economic value of land for farmers and farmland owners by retaining portions of farm properties as developable for residential and other non-farm purposes, thereby supporting the continued economic viability of individual farms and farming in Amherst;***

3.2823 Preserve the culture and landscape of farming, which help define the character of Amherst.

3.283 Residential Development

3.2830 Residential subdivisions requiring approval under M.G.L. Ch. 41, Subdivision Control Law, shall be laid out as cluster developments in accordance ***with the provisions of this section and*** Section 4.3 of the Zoning Bylaw.

3.284 Standards for Planning Board ~~Special Permit (SPP)~~ *Site Plan* Review (*SPR*) Approval

The Planning Board ~~may~~ **shall** grant a ~~Special Permit (SPP)~~ **Site Plan Review (SPR) Approval** for a cluster development in the ~~FP FC~~ District provided it finds that in addition to meeting the provisions of Sections ~~10.3, Special Permits, 11.2 and 11.3,~~ the proposed use conforms to the provisions of Section 3.285, Farmland ~~Preservation~~ **Conservation** Development Standards **and Section 4.38, Cluster Development Design Standards,** of this Bylaw.

3.285 Farmland ~~Preservation~~ **Conservation** Development Standards

3.2855 ~~All~~ **No building containing** dwelling units and structures shall be located ~~a~~ **intrude into** a minimum of ~~55 feet~~ **150 foot buffer strip separating residential uses** from adjacent or on-site farmland ~~(the 40 foot buffer strip plus the 15 foot side or rear yard setback).~~
Said buffer strip may include private property and Common Land. The ~~Planning Board~~ **permit granting board or authority** may ~~waive~~ **reduce** this distance requirement where **screening, substantial vegetation, land contour or other features of the site are deemed to provide sufficient buffering, and where** such a change is consistent with the purposes of this Bylaw. **An exception to this distance requirement shall be permitted for no more than one (1) dwelling unit associated with the management and operation of agricultural uses of the farmland. Said dwelling unit shall be included in the maximum number of lots provided for under Section 4.327.**

3.2856 The ~~Planning Board~~ **permit granting board or authority** may approve the use of portions of the ~~40~~ **150** foot buffer strip between the residential and farmland portions of ~~the~~ **a** cluster development as usable open space for **the recreational use of** cluster development residents, provided **the board or authority determines that** such use will not impact adversely on adjacent farming activity and is consistent with Section 4.31 of the Zoning Bylaw.

C. Amend Section 4.3, as follows:

Amend Table 2 as follows:

TABLE 2
DEVELOPMENT METHODS

BYLAW NUMBER	METHOD	ZONING DISTRICTS					
		R-LD	R-O	R-N	R-VC	R-G	R-F
4.3	CLUSTER DEVELOPMENT	SPP	SPP	SPP	SPP	SPP	N
		SPR	SPR	SPR	SPR	SPR	

4.323 Density/Setbacks

4.3231 The maximum **base** density of **lots in** a cluster subdivision, ~~except for an affordable cluster,~~ shall ~~not~~ **may** exceed the allowed density for a standard subdivision in any zoning district, said density to be calculated by taking the parcel area, subtracting 10% of that area **for road and utility allowance** and dividing that number by the minimum lot area of the zoning district in which the parcel is located. **The permit granting board or authority may reduce the road and utility allowance below 10%, provided it finds that such a reduction would allow for improvement to the design of the development and would be consistent with the purposes of this Bylaw.** ~~In addition it is the intention of this Section that the~~ **An affordable cluster subdivision development, as defined under Section 4.33, not may result in more lots and/or more dwelling units than would be approved for a standard subdivision under a Definitive Subdivision Plan on the same property.**

4.33 Affordable Units

4.330 The Planning Board may authorize a greater number of dwelling units **building lots** than would be allowed by the density requirements of Section 4.3231 or **Section 4.327** only if a minimum of 10% of the total ~~units~~ **lots** in the development ~~are~~ **contain** affordable **dwelling** units as herein defined. In no event shall the Board authorize a greater number of dwelling units **building lots** than 120% of the maximum number of ~~units~~ **lots** otherwise allowed **under the applicable development method.** For the purposes of this calculation, ~~10% of the normal parcel size shall be subtracted for~~ **the road and utility**

allowance *determined under Section 4.3231 shall be subtracted from the development parcel* prior to calculating the maximum density allowed.

4.34 Common Land Standards

4.345 In the ~~FP~~ **FC** District, all ~~eCommon~~ **Land** in a cluster development not set aside as usable open space for active and/or passive recreation shall be ~~permanently preserved~~ *set aside* as farmland *as provided for under Section 4.351*.

4.35 Common Land Ownership

4.351 In the ~~FP~~ **FC** District, the portion of the ~~eCommon~~ **Land** ~~which is~~ set aside as ~~permanently preserved~~ farmland and all Unbuildable Land Area shall be ~~protected by a permanent agricultural preservation restriction recorded on the deed~~ *preserved as open space and available for use as farmland*. Title to this ~~permanently preserved~~ farmland may remain with the original farmland owner or be conveyed to the Town of Amherst, the Commonwealth of Massachusetts, a homeowners association, or a non-profit farmland trust or similar conservation organization whose principal purposes include the preservation of farmland. The agricultural restriction recorded on the deed shall be enforceable by the Town of Amherst. It shall be kept as active farmland or kept in an open or natural state for future farming uses, and shall not be built upon for residential use or developed for accessory uses such as parking or roadway.

4.36 Review and Approval Process

4.360 Approval ~~will~~ *shall* be by ~~Special Permit~~ **Site Plan Review** by the Planning Board, in accordance with the standards set forth in Section ~~40.3~~ **11.2 and 11.3**, with the purposes of Cluster Development as set forth in Sections 4.31 ~~and 3.28 of the Zoning Bylaw~~, *as applicable*, and with the design requirements of Sections 4.38 ~~and 3.285~~, *as applicable*.

4.361 Subsequent approval by the Planning Board of such portions of ~~the~~ **a** Cluster Development as constitute a subdivision shall be required as set forth in the Subdivision Control Law, including approval of the streets and utility system. A favorable action which may be made by the Planning Board on a ~~Special Permit~~ **Site Plan Review** application shall not, therefore, be deemed either to constitute subdivision approval under the Subdivision Control law or *the* Rules and Regulations Governing the Subdivision of land, nor *to* imply that such approval will be given.

ARTICLE 4. Open Space Community Development - Sections 3.283, 4.0, 4.1, 4.5, 12, 14.4
(Planning Board)

To see if the Town will amend Sections 3.283, 4.0, 4.1, add a new Section 4.5, and amend Article 12 and Section 14.4 of the Zoning Bylaw by deleting the ~~lined-out~~ language and adding the language in *bold italics*, as follows:

A. Amend Section 3.283, as follows:

3.2830 Residential subdivisions requiring approval under M.G.L. Ch. 41, Subdivision Control Law, shall be laid out as cluster developments in accordance with the provisions of this section and Section 4.3, ***Cluster Development, or as open space community developments in accordance with Section 4.5, Open Space Community Development (OSCD)***, of the Zoning Bylaw.

B. Amend Sections 4.0 and 4.1, as follows:

SECTION 4.0 OVERVIEW

This bylaw permits ~~three (3)~~ ***four (4)*** methods which may be utilized to develop land for residential purposes where such Uses are permitted in Section 3.3. The ~~three~~ ***four*** methods are:

Conventional Residential Subdivision Development;
Cluster Development ~~and~~;
Planned Unit Residential Development (PURD); *and*
Open Space Community Development (OSCD)

In order to ensure development which is compatible with the Purposes and Intent of this Bylaw, the ~~three~~ **four** Development Methods shall comply with the General Development Standards set forth in Section 4.1, and the applicable Standards set forth in Section 4.32 and 4.42.

The Zoning Districts in which the ~~three~~ **four** Development Methods may be used are indicated on Table 2. Nonresidential zoning districts are not included in Table 2 because the ~~three~~ **four** Development Methods described in this section apply only to residential development.

The abbreviations used in the Table are defined as follows:

Y	=	Yes	The Development Method is permitted by right
N	=	No	The Development Method is not permitted in the zoning district
SP	=	SPECIAL PERMIT	The Development is permitted if a Special Permit is issued by the Zoning Board of Appeals
SPP	=	SPECIAL PERMIT, PLANNING BOARD	The Development is permitted if a Special Permit is issued by the Planning Board

Amend Table 2 by adding the following new Section 4.5:

TABLE 2
DEVELOPMENT METHODS

<u>BYLAW NUMBER</u>	<u>METHOD</u>	<u>ZONING DISTRICTS</u>					
		<u>R-LD</u>	<u>R-O</u>	<u>R-N</u>	<u>R-VC</u>	<u>R-G</u>	<u>R-F</u>
4.5	<i>OPEN SPACE COMMUNITY DEVELOPMENT</i>	<i>SPP</i>	<i>SPP</i>	<i>SPP</i>	<i>SPP</i>	<i>SPP</i>	<i>N</i>

SECTION 4.1 GENERAL DEVELOPMENT STANDARDS

The ~~three~~ **four** Development Methods listed in Section 4.0, Overview, shall be undertaken in accordance with the following General Standards:

- 4.10 All Development in the Town shall conform to the Design Standards and Required Improvements set forth in the Rules and Regulations Governing the Subdivision of Land and the Site and Street Work Construction Standards of the Town, as amended.
- 4.11 The frontage of lots shall be on existing or proposed minor or secondary streets as defined by the Amherst Planning Board’s Rules and Regulations Governing the Subdivision of Land, except as provided for in Section 4.4214 ***and Section 4.534.***

C. Add a new Section 4.5, as follows:

SECTION 4.5 OPEN SPACE COMMUNITY DEVELOPMENT

4.50 *General Description & Purpose*

An Open Space Community Development (OSCD) shall mean a principally residential development located on contiguous land and including dwelling units and accessory facilities owned individually and/or in common. In comparison to Conventional Residential Subdivision Development, an Open Space Community Development (OSCD) shall allow a mix of housing types and may allow the concurrent development of selected non-residential uses compatible with and supportive of the residential development. An OSCD may allow organized groups of households to construct dwelling units and common facilities for their collective and individual ownership and use. It is intended that an Open Space Community Development (OSCD) be a Development Method that is flexible in nature and allows for modification of lot size, bulk or type of dwelling, density, intensity of development, or required open space in the regulations of any district established by this Zoning Bylaw, so as to result in patterns of land use that are more compact and more efficiently laid out on a smaller area of a site, while preserving more open space and other natural and cultural features elsewhere.

Land not used for residential, approved non-residential or accessory purposes shall be permanently preserved as open space according to the methods hereinafter described.

It is expected that the following benefits may be gained through use of this Development Method:

4.500 *Compact, economical and efficient layout, installation, construction and maintenance of buildings, streets, utilities and public facilities.*

4.501 *Efficient allocation, distribution and maintenance of common public and private open space.*

4.502 *Land development and uses that are harmonious with and which conserve, protect and enhance:*

4.502.0 *Natural resources of the land, including critical resource areas such as wetlands, floodplains, wildlife habitat, greenbelts and farmland, and*

4.502.1 *Traditional resource-based land uses and practices, including farming, logging, aquaculture, and similar uses in order to preserve the cultural heritage of such uses in Amherst, as well as the traditional land development patterns and recreational opportunities resulting from and enabled by these traditional resource-based land uses.*

4.502.2 *Historical and archaeological resources, including buildings, structures, sites and materials.*

4.503 *Efficient use of land so as to increase the options for and the supply of affordable housing.*

4.504 *Housing development that allows for integration of a variety of housing types, including handicapped accessible housing, appropriate to various social and economic groups within any given development project.*

4.51 *Use Standards*

4.510 *The following Principal uses shall be permitted in an Open Space Community Development (OSCD):*

4.5100 *One-family detached dwelling*

4.5101 *Two-family or semi-detached dwelling*

4.5102 *Subdividable dwelling*

4.5103 *Buildings or structures comprised of multiple dwelling units, as permitted under Section 4.543.*

4.5104 *Kindergarten, day nursery or other facility for the day care of children.*

4.5105 *If allowed in the underlying zoning district(s), buildings containing dwelling units in combination with stores or other permitted business or commercial uses (Section 3.325), where the Special Permit Granting Authority finds that, in addition to meeting the provisions of Section 10.38, the proposed use provides goods and/or services which will appropriately serve the households in the proposed residential development and the surrounding neighborhood.*

4.511 *The following aggregated accessory uses and facilities shall be permitted in an OSCD:*

4.5110 *Community building or common house including meeting rooms, kitchen and dining facilities for the use of residents and guests.*

4.5111 *Library*

4.5112 *Laundry*

4.5113 *Place of meditation or worship*

4.5114 Office space

4.5115 Workshop/studio/trades building

4.5116 Other shared or common facilities for maintenance and other ancillary purposes serving the residential community.

4.52 Density Standards

4.520 *The maximum density allowed in an Open Space Community Development shall be calculated as follows:*

- 1. Determine the Net Parcel Area by subtracting 75% of the area of all Unbuildable Land Area from the total parcel acreage. Unbuildable Land Area shall consist of the combined acreage of all wetlands, FPC District and 100-year floodplain areas. 100-year floodplain areas shall consist of those areas so designated on federal flood insurance maps.*
- 2. Subtract 8% of the Net Parcel Area for roadways, parking and utilities.*
- 3. Divide the remaining buildable land area by the minimum lot area required in the applicable zoning district(s).*
- 4. Multiply the resulting lot count by 1.2 (120%) to derive the maximum density.*
- 5. Where no lots are to be provided in an OSCD, the maximum density resulting from this calculation shall serve as the total base dwelling unit count.*

4.521 *See Section 4.55 for density bonus provisions.*

4.53 Dimensional Standards

4.530 *Separate lots for residential dwellings shall be permitted, but are not required. If provided, the lots shall meet or exceed the minimum lot area requirements for cluster subdivisions for the applicable zoning district(s).*

4.531 *Where individual building lots are proposed, frontage need not be provided on an established way, nor shall the rear and side yard setbacks in Table 3 apply, except that non-zero lot line buildings shall be separated as required by applicable fire and building codes.*

4.532 *For buildings containing no more than two dwelling units, zero lot lines shall be allowed in an OSCD, and side yards need not be provided on that side of a dwelling unit that shares a party wall or double wall with an adjacent dwelling unit. Where zero lot lines are proposed, maintenance easements and covenants shall be provided to ensure access for maintenance and utility repairs or replacement.*

4.533 *Single-family dwelling units shall not comprise more than 50% of the total number of dwelling units.*

4.534 *Up to four (4) dwelling units may be allowed in a single building in the R-N District. In other Residence districts, the number of units per building shall be as provided in the bylaw.*

4.535 *Front setbacks shall be observed for the applicable zoning district(s), but the Special Permit Granting Authority may modify lot frontage and side and rear setback requirements to meet the needs of the development and public safety. Buildings shall be separated as required by applicable fire safety and building codes.*

4.536 *A buffer zone of private property, common land and/or usable open space for active or passive recreation shall be provided along any edge of the residential portion of an OSCD that abuts adjacent or on-site farmland, in accordance with Sections 3.2855 and 3.2856.*

4.54 Sanitary Sewer

4.540 *The entire development shall be connected with the public sanitary sewer system, except that where such sewer connection is not reasonably available, the Board of Health may, in accordance with state and local health regulations, authorize development of and connection to a package sewage treatment plant, or individual or shared septic systems. The option of individual or shared septic systems shall not be available in the Aquifer Recharge Protection (ARP) or Watershed Protection (WP) overlay districts.*

4.55 *Density Bonuses*

It is the intention of this bylaw to encourage the provision of both affordable and handicapped accessible housing. Toward that end, where affordable and/or accessible units are proposed, additional housing units may be added to an OSCD above and beyond the maximum density provided for under Section 4.520.

4.550 *Affordable Units*

- 4.550.0**

In any OSCD that includes affordable dwelling units in accordance with Sections 4.333-4.334, the maximum density established under Section 4.520 may be increased by the number of affordable units proposed, except that additional units allowed under this provision shall not exceed 20% of the maximum otherwise permitted under Section 4.520.
- 4.550.1**

Affordable units shall be geographically dispersed throughout the development, except that the Special Permit Granting Authority may, for compelling reasons of development function and site design consonant with the purposes of this Bylaw, allow such units to be clustered.

4.551 *Accessible Units*

- 4.551.0**

In any OSCD that includes dwelling units fully handicapped accessible under the provisions of Massachusetts Architectural Access Board regulations (521 CMR), as amended, the maximum density established under Section 4.520 may be increased by the number of accessible units proposed, except that no accessible units may be counted as part of such a density bonus unless separate affordable dwelling units are also being provided. Additional accessible units allowed under this provision shall not exceed 10% of the maximum otherwise permitted under Section 4.520.
- 4.552**

The combined additional number of affordable and accessible units allowed under this section shall not exceed 20% of the maximum otherwise permitted under Section 4.520.
- 4.553**

Any dwelling unit which is both affordable and handicapped accessible shall, for purposes of calculating a density bonus under this section, be counted either as a single affordable unit or as a single accessible unit, but not both.

4.56 *Common Land Standards*

4.560 *The following minimum percentages of total parcel area in an OSCD shall be retained as substantially undeveloped Common Land kept open and undeveloped for buildings, roadways and walkways, parking and utilities:*

Zoning Districts

	<u>R-LD</u>	<u>R-O</u>	<u>R-N</u>	<u>R-VC</u>	<u>R-G</u>
<i>Minimum %</i>					
<i>Open Space</i>	75	65	60	50	50

- 4.561**

A minimum of 50% of the Common Land in an OSCD shall be upland exclusive of wetlands, FPC District and 100-year-floodplain.
- 4.562**

Common Land shall be laid out in large, contiguous areas as appropriate to its natural or cultural characteristics and its proposed use(s), as set forth under

Sections 4.35, 4.38 and 4.502.

4.563 Common land ownership shall be as provided for under Section 4.35.

4.57 Open Space Community Development (OSCD) Design Requirements

4.570 Within an Open Space Community Development (OSCD), a minimum of 2,000 square feet per dwelling unit shall be usable open space for active and passive recreation. Usable open space shall be defined to include contiguous open space developed and available for play areas, tot lots, gardens, off-road trails (including but not limited to hiking, jogging, bridle and bicycle trails, as well as those paths and easements which provide access or connection to such trails, regardless of location), ball or playing fields, basketball or tennis courts or similar facilities as are appropriate to the needs of the development. Usable open space shall not include parking areas, roadways, sidewalks or land within wetlands as determined by the Conservation Commission (except as hereinafter provided). Up to 40 percent of total usable open space may be located in an FPC District and/or wetlands, as appropriate to the intended recreation use(s), in accordance with the provisions of Section 3.22, and as permitted by the Conservation Commission.

4.571 The design requirements of Section 4.38, Cluster Development Design Requirements, shall apply to an OSCD.

4.572 For an OSCD within the FP district, the design requirements of Section 3.285 shall apply. For an OSCD outside of the FP District, the provisions of Sections 3.2850, 3.2853, 3.2854, 3.2857-3.2859 shall apply.

4.573 Vehicular access, internal circulation and related parking shall be located and designed so as to minimize their impact on adjacent residential uses outside the OSCD.

4.58 Review and Approval Process

4.580 At the time of application for a Special Permit under this section, a minimum of thirty percent (30%) of the total dwelling units in an OSCD shall be under agreement for conveyance to parties who will occupy said dwelling units. At the time of occupancy of the first unit, and thereafter, a majority of the total dwelling units in an OSCD shall be owner-occupied, as defined under Article 12. Said requirement shall be enforced through covenants in homeowners or condominium association agreements, or similar documents, the review and approval of which documents shall be a condition of permit approval. The express intent of these provisions is to encourage the early and continuing involvement of residents in the design, development and management of an OSCD. These requirements shall be ongoing and shall be made a condition of the Special Permit.

4.581 The Special Permit Granting Authority for an Open Space Community Development (OSCD) shall be the Planning Board, in accordance with the provisions of Section 10.3, the purposes, standards and requirements of Section 4.5, and such other requirements of this bylaw as may be applicable.

4.582 Subsequent approval of such portion(s) of an OSCD as constitute a subdivision shall be required as set forth in the Subdivision Control Law, including approval of the streets and utility system. A favorable action which may be made by the Planning Board on a Special Permit application shall not, therefore, be deemed either to constitute subdivision approval under the Subdivision Control Law or the Rules and Regulations Governing the Subdivision of Land, nor to imply that subdivision approval will be granted.

4.583 Each application for an Open Space Community Development (OSCD) containing land within the Flood-Prone Conservancy (FPC) District shall be accompanied by an additional set of plans and documents for transmittal to the Conservation Commission. Within ten (10) days of receipt of the application, the Planning Board shall transmit a copy thereof to the Conservation Commission. The Commission shall, at its discretion, investigate the proposed development and report in writing its recommendations to the Planning Board within 35 days of the date of application. The Planning Board shall not take final action on approval of the application until it

has received a written report from the Conservation Commission or until the 35 day period has passed without receipt of such a report.

- D. Amend Article 12 by adding the following new Section 12.00, as follows, and renumbering the remaining sections accordingly:

12.00 *Aggregated accessory uses: One or more uses customarily accessory to principal residential uses as allowed in this Zoning Bylaw, where such accessory use(s) are aggregated, used and shared in common by the occupants of more than one residential dwelling unit located on the same property or a different property from the accessory use(s).*

- E. Amend and add, respectively, the following subsections of Section 14.4, Modifications to Schedule, as follows:

14.46 PURD/OSCD

Any development which is constructed under the PURD provisions of Section 4.4 *or the OSCD provisions of Section 4.5* of the Zoning Bylaw

30 pts.

14.479 *Location of the proposed development within 1,000 feet of a heavily-traveled major arterial street.*

ARTICLE 5. Sign Dimensions - Section 8.1
(Planning Board)

To see if the Town will amend Section 8.1, Residential Districts, of the Sign Regulations, by deleting the ~~lined out~~ language and adding the language in ***bold italics***, and by renumbering the subsections, as follows:

SECTION 8.1 RESIDENTIAL DISTRICTS

In all Residence districts, the following exterior signs ***are permitted on private property***, and no others, ~~are permitted~~:

8.10 ***Numbers of Signs and Dimensions***

8.100 In the case of a dwelling or use accessory thereto – one ***(1)*** sign not over two square feet in area for each household residing on the premises, not to exceed a total of eight square feet in area, indicating the address and/or names of the owners or occupants and one ***(1)*** sign not over eight square feet in area pertaining to the accessory use.

8.101 In the case of a permitted or authorized use other than a dwelling or use accessory thereto, or in the case of sale or lease of the premises – two ***(2)*** signs pertaining to such use, sale or lease provided that the combined total area of such signs clearly visible from any point off the premises shall exceed twelve square feet only under a Special Permit issued by the ~~Zoning Board of Appeals~~ ***Special Permit Granting Authority***.

In the R-VC District only, the ~~Zoning Board of Appeals~~ ***Special Permit Granting Authority*** may grant a Special Permit for two ***(2)*** signs pertaining to an accessory use, where the combined total area of such signs clearly visible from any point off the premises shall not exceed twelve square feet, with any single sign not to exceed eight square feet in area.

8.102 In the case of a fraternity or sorority – one ***(1)*** sign identifying the group residing on the premises and not to exceed twelve square feet ***in area***.

8.103 ***No sign allowed under this section shall exceed four feet (4') in height above grade, except that projecting signs with a total area of three square feet or less may be up to six feet (6') in height above grade.***

8.104 ***There shall be no front setback requirement for signs allowed on private property under this section, except that no sign shall be set closer to any public sidewalk than 30 inches (30"). Signs shall be set back from any side or rear property boundary a distance equal to or greater than their height above grade. On corner lots, no sign or portion thereof shall be located within the clear sight triangle, as defined in Section 6.27.***

8.11 No billboard, *nor any* sign on which the principal product or service advertised is not regularly produced or available on the premises, shall be erected or maintained in any Residence District.

ARTICLE 6. Transfer of Funds – Unpaid Bills (Select Board)

To see if the Town will, in accordance with Chapter 44, Section 64, appropriate and transfer a sum of money to pay unpaid bills of previous years.

ARTICLE 7. Capital Program – Streetlights (Select Board)

To see if the Town will appropriate \$175,000 for the purchase of existing streetlights from Western Massachusetts Electric Company and to meet such appropriation borrow \$175,000 in accordance with M.G.L. Chapter 44, Section 7 (9) and (14) or any other applicable laws.

ARTICLE 8. Capital Program – Buildings and Facilities (Joint Capital Planning Committee)

To see if the Town will raise and appropriate \$36,900 to replace playground equipment and make other improvements at Wildwood School and Mill River playgrounds, and to provide a fire and security alarm system for the Munson Memorial Building.

ARTICLE 9. Stabilization Fund (Joint Capital Planning Committee)

To see if the Town will appropriate and transfer a sum of money to the Stabilization Fund for FY 2002.

You are hereby directed to serve this call by posting attested copies thereof at the usual places:

Prec. 1	North Amherst Post Office	Prec. 6	Fort River School
Prec. 2	North Fire Station	Prec. 7	Crocker Farm School
Prec. 3	Marks Meadow School	Prec. 8	Munson Memorial Library
Prec. 4	Amherst Post Office	Prec. 9	Wildwood School
Prec. 5	Town Hall	Prec. 10	Campus Center, UMass

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this ninth day of October, 2001.

Carl W. Seppala
Eva Schiffer
Dolly G. Jolly
Eddy Goldberg
Board of Selectmen

October 11, 2001

Hampshire, ss.

In obedience to the within warrant, I have this day as directed posted true and attested copies thereof at the above designated places, to wit:

Jennifer A. Gunderson
Constable, Town of Amherst